IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. JUSTICE C.V.RAMULU

WRIT PETITION No.24653 of 2000

Between:

V. Kanakaiah, S/o Ramakrishnaiah,

Aged about 48 years, R/o Hanamkonda,

Warangal district.

..... PETITIONER

AND

1. The Industrial Tribunal-cum-Labour Court I,

Warangal, rep. by its Chairman-cum-

Presiding Officer.

2. The Depot Manager, APSRTC Bus Depot,

Warangal I Depot.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Certiorari after calling for the records from the first respondent and quash the Award passed in I.D.No.389 of 1988, dated 19-4-1990 insofar as it relates to denial of continuity of service, back wages and other attendant benefits are concerned and consequently direct the second respondent to reinstate the petitioner into service with full back wages, continuity of service and with all other attendant benefits.

Counsel for the Petitioner: Mr. V.VISWANATHAM

Counsel for Respondent No.1: Government Pleader for Labour
Counsel for Respondent No.2: Mrs. P. RAJANI REDDY,SC for APSRTC

The Court made the following :

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.24653 of 2000

ORAL ORDER:

This Writ Petition is filed by the workman being aggrieved by the Award passed by the Industrial Tribunal-cum-Labour Court I, Warangal in I.D.No.389 of 1988, dated 19-4-1990, wherein the petition filed by him under Section 2-A(2) of the Industrial Disputes Act,1947 was answered in his favour granting the relief of fresh appointment. In this case, he seeks the further relief of continuity of service, back wages, attendant benefits etc.

There is no necessity of going into all other details in view of the fact that the Writ Petition is filed belatedly i.e. after more than a decade of appointing the petitioner afresh in pursuance of the Award passed by the Labour Court. There is no sufficient cause shown to condone the abnormal delay of about ten years in approaching this Court. The only reason stated by the petitioner for approaching this Court with an inordinate delay is paucity of funds, which cannot be said to be a plausible reason for condoning the delay. The laches are irretrievable. On this ground alone, the Writ Petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

22-7-2005

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Industrial Tribunal-cum-Labour Court I,

Warangal, rep. by its Chairman-cum-

Presiding Officer.

2. The Depot Manager, APSRTC Bus Depot,

Warangal I Depot.

3. 2 CCs to Govt.Pleader for Labour, High Court Buildings, Hyderabad (OPUC)

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